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## MEMO ENDORSED

August 30, 2023

VIA ECF

The Honorable Valerie Caproni  
US District Court  
Southern District of New York

USDC SDNY  
DOCUMENT  
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DATE FILED: 08/30/2023

***RE: Helayne Seidman v. Yellow Rat Bastard YRB NYC, Inc. d/b/a YRB Magazine***

Dear Judge Caproni:

This law firm represents plaintiff Helayne Seidman ("Plaintiff") in the above matter. On August 22, 2023, Plaintiff filed her Motion for Default Final Judgment. Also on August 22, 2023, this honorable court ordered the Defendant, Yellow Rat Bastard YRB NYC, Inc. d/b/a YRB Magazine ("Defendant") to appear at a Show Cause Hearing scheduled to take place on September 15, 2023, at 10:00 a.m. in New York, NY.

Given Defendant's wholesale lack of response to this lawsuit and lackadaisical attitude toward multiple pre-suit efforts to communicate with it, it is not expected that Defendant will actually appear for the September 15, 2023, hearing.

Because undersigned counsel will be in Florida at the time of the hearing, request is hereby respectfully made that the September 15, 2023, hearing proceed telephonically or via Zoom to accommodate undersigned counsel's current heavy case load and preexisting professional obligations/hearings.

Further, because the Copyright Act provides for the recovery of attorneys' fees (subject to the Court's discretion), it is in Defendant's best interest that attend the hearing telephonically/remotely to minimize the amount of time incurred in this case on behalf of Plaintiff.

Accordingly, Plaintiff respectfully requests that the Court enter an Order: (a) granting this motion and (b) allowing Plaintiff's counsel to attend the August 28, 2023, hearing via Zoom, telephonically, or some other remote means. Thank you.

Respectfully submitted,



Daniel DeSouza, Esq.

Plaintiff's application to appear telephonically is GRANTED. To the extent that the Defendant wishes to respond to the order to show cause why default judgment should not be entered, it must appear in person in Courtroom 443 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, 10007, at 10 A.M. on September 15, 2023.

Plaintiff and any interested members of the public must attend by dialing 1-888-363-4749, using the access code 3121171, and the security code 3583. All attendees are advised to mute their phones when not speaking and to self-identify each time they speak. Recording or rebroadcasting the proceeding is strictly prohibited by law.

Plaintiff is ordered to serve a copy of the endorsed order on Defendant and to file proof of service on the docket by **September 5, 2023**.

SO ORDERED.



08/30/2023

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE